

11004. Adulteration of frozen shrimp. U. S. v. 305 Cases and 32 Cases * * *.
(F. D. C. Nos. 19348, 19619. Sample Nos. 15032-H, 46068-H.)

LIBELS FILED: March 15 and April 19, 1946, Northern Districts of California and Illinois.

ALLEGED SHIPMENT: On or about January 21 and February 19, 1946, by the K. P. Sales Co., from Nogales, Ariz.

PRODUCT: Frozen shrimp. 305 50-pound cases at Sacramento, Calif., and 32 50-pound cases at Chicago, Ill.

LABEL, IN PART: "Queen of the Gulf Frozen Fresh Shrimp."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a decomposed substance.

DISPOSITION: June 19 and 27, 1946. The Meredith Fish Co., Sacramento, Calif., having appeared as claimant for the Sacramento lot, and having consented to the entry of a decree, and no claimant having appeared for the Chicago lot, judgments of condemnation were entered. The Sacramento lot was ordered released under bond, conditioned that it be brought into compliance with the law, under the supervision of the Food and Drug Administration, and the Chicago lot was ordered destroyed.

11005. Adulteration of frozen shrimp. U. S. v. 55 Cases * * *. (F. D. C. No. 19486. Sample No. 10978.)

LIBEL FILED: On April 8, 1946, Northern District of Georgia.

ALLEGED SHIPMENT: On or about February 17, 1946, by the Capitol Fish Co., from Foley, Ala.

PRODUCT: 55 cases, each containing 5 10-pound boxes, of frozen shrimp at Atlanta, Ga.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a decomposed substance by reason of the presence of decomposed shrimp.

DISPOSITION: May 27, 1946. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

11006. Adulteration of frozen fresh shrimp. U. S. v. 13 Cases * * *. (F. D. C. No. 19369. Sample No. 33084-H.)

LIBEL FILED: March 21, 1946, District of Nevada.

ALLEGED SHIPMENT: On or about February 28, 1946, by the Meredith Fish Co., from Sacramento, Calif.

PRODUCT: 13 cases, each containing 10 5-pound cartons, of frozen fresh shrimp at Reno, Nev.

LABEL, IN PART: "Queen of The Gulf Frozen Fresh Shrimp."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a decomposed substance.

DISPOSITION: April 12, 1946. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

FRUITS AND VEGETABLES

CANNED AND DRIED FRUIT

11007. Misbranding of canned red, sour, pitted cherries. U. S. v. 44 Cases * * *.
(F. D. C. No. 19597. Sample No. 58273-H.)

LIBEL FILED: April 15, 1946, District of Montana.

ALLEGED SHIPMENT: On or about January 23, 1946, by Varney Canning, Inc., from Roy, Utah.

PRODUCT: 44 cases, each containing 6 6 pound, 6-ounce cans, of red, sour, pitted cherries at Bozeman, Mont.

LABEL, IN PART: "Leota Brand Water Packed Red Sour Pitted Cherries."

NATURE OF CHARGE: Misbranding, Section 403 (h) (1), the product failed to conform to the standard of quality for pitted canned cherries, since more than one pit was present in each 20 ounces of canned cherries and its label failed to bear the substandard legend.

DISPOSITION: August 23, 1946. No claimant having appeared, judgment was entered and the product was ordered delivered to a charitable institution.

11008. Misbranding of canned pears. U. S. v. 498 Cases, 146 Cases, and 61 Cases
* * *. (F. D. C. Nos. 19456, 19482, 19980. Sample Nos. 35932-H, 35945-H, 35948-H, 40403-H.)

LIBELS FILED: On or about March 28, April 15, and June 24, 1946, Western District of Missouri.

ALLEGED SHIPMENT: On or about January 16 and February 12 and 13, 1946, by the Kuhn Cannery Co., from Bonner Springs, Kans.

PRODUCT: Canned pears. 498 and 146 cases at Kansas City and 61 cases at Joplin, Mo. Each case contained 24 1-pound, 12-ounce cans.

LABEL, IN PART: "Dollie Mae Whole Halves Kieffer Pears In Light Syrup."

NATURE OF CHARGE: Misbranding, Section 403 (g) (2), the article failed to bear the name of the optional packing medium ingredient present, as required by the definition and standard of identity for canned pears. It was labeled "In Light Syrup," whereas it was packed in a medium designated in the standard as "Slightly Sweetened Water." Further misbranding, Section 403 (h) (1), the article fell below the standard of quality; it failed to meet the test for tenderness prescribed in the standard; all units were not untrimmed or so trimmed as to preserve their normal shape; and the article was not labeled to show that it was substandard.

DISPOSITION: August 27, 1946. The Kuhn Canning Co., claimant, having consented to the entry of decrees, and the cases having been consolidated, judgment of condemnation was entered and the product was ordered released under bond, conditioned that it be brought into compliance with the law, under the supervision of the Food and Drug Administration. The product was relabeled.

11009. Adulteration of figs. U. S. v. 142 Cases * * *. (F. D. C. No. 19607. Sample No. 15322-H.)

LIBEL FILED: April 17, 1946, Northern District of Illinois.

ALLEGED SHIPMENT: On or about November 20, 1945, by Rosenberg Brothers and Co., from Modesto, Calif.

PRODUCT: 142 30-pound cases of figs at Chicago, Ill.

LABEL, IN PART: "Sultan Brand Fancy Adriatic Figs."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy and decomposed substance by reason of the presence of insect-infested, moldy, and sour figs.

DISPOSITION: June 28, 1946. The Steele-Wedeles Co., claimant, having admitted the facts in the libel, judgment of condemnation was entered and the product was ordered released under bond for distillation into alcohol, under the supervision of the Food and Drug Administration and the Alcohol Tax Unit.

11010. Adulteration of figs. U. S. v. 36 Cases * * *. (F. D. C. No. 19387. Sample No. 25690-H.)

LIBEL FILED: April 2, 1946, District of Colorado.

ALLEGED SHIPMENT: On or about December 7, 1945, by the Braun Importing Co., from New York, N. Y.

PRODUCT: 36 28-pound cases of figs at Denver, Colo.

LABEL, IN PART: "Macaroni Figs * * * Packed and Shipped by Sunhi Erhin & Co. Izmir-Turkey."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a filthy substance by reason of the presence of beetles and larvae.

DISPOSITION: May 20, 1946. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

11011. Adulteration of dates. U. S. v. 29 Boxes * * *. (F. D. C. No. 19554. Sample No. 58242-H.)

LIBEL FILED: On or about April 4, 1946, District of Montana.